

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1001(ss) be amended to read as follows:

- 1 Page 157, between lines 9 and 10, begin a new paragraph and insert:
- 2 "SECTION 137. IC 12-24-1-3, AS AMENDED BY P.L.215-2001,
- 3 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JANUARY 1, 2002 (RETROACTIVE)]: Sec. 3. (a) The director of the
- 5 division of mental health and addiction has administrative control of
- 6 and responsibility for the following state institutions:
- 7 (1) Central State Hospital.
- 8 (2) Evansville State Hospital.
- 9 (3) Evansville State Psychiatric Treatment Center for Children.
- 10 (4) Larue D. Carter Memorial Hospital.
- 11 (5) Logansport State Hospital.
- 12 (6) Madison State Hospital.
- 13 (7) Richmond State Hospital.
- 14 (8) Any other state owned or operated mental health institution.
- 15 (b) Subject to the approval of the director of the budget agency and
- 16 the governor, the director of the division of mental health and addiction
- 17 may contract for the management and clinical operation of Larue D.
- 18 Carter Memorial Hospital.
- 19 (c) **The following apply to the Evansville State Psychiatric**
- 20 **Treatment Center for Children:**
- 21 (1) **Notwithstanding any other statute or policy, the division**
- 22 **of mental health and addiction may not do the following after**
- 23 **December 31, 2001, unless specifically authorized by a statute**
- 24 **enacted by the general assembly:**
- 25 (A) **Terminate, in whole or in part, normal patient care or**
- 26 **other operations at the facility.**
- 27 (B) **Reduce the staffing levels and classifications below**
- 28 **those in effect at the facility on January 1, 2002.**
- 29 (C) **Terminate the employment of an employee of the**

1 facility except for cause in accordance with IC 4-15-2.

2 (2) The division of mental health and addiction shall fill a
3 vacancy created by a termination described in subdivision
4 (1)(C) so that the staffing levels at the facility are not reduced
5 below the staffing levels in effect on January 1, 2002.

6 (3) Notwithstanding any other statute or policy, the division
7 of mental health and addiction may not remove, transfer, or
8 discharge any patient at the facility unless the removal,
9 transfer, or discharge is in the patient's best interest.

10 SECTION 138. IC 12-24-2-9 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE UPON PASSAGE]: **Sec. 9.** Notwithstanding any other
13 law, an individual shall be admitted to the Evansville State
14 Psychiatric Treatment Center for Children if the decision to admit
15 the individual is approved by:

- 16 (1) the individual's gatekeeper; and
- 17 (2) the Evansville State Psychiatric Treatment Center for
- 18 Children's admission committee, which must consist of at
- 19 least the following individuals:
- 20 (A) The superintendent.
- 21 (B) The medical director.
- 22 (C) The clinical director.
- 23 (D) The director of nursing."

24 Page 229, between lines 32 and 33, begin a new paragraph and
25 insert:

26 "SECTION 194. [EFFECTIVE JULY 1, 2001 (RETROACTIVE)]
27 (a) Notwithstanding any notice sent after June 30, 2001, the
28 division of mental health and addiction may not terminate or lay
29 off any employee at the Evansville State Psychiatric Treatment
30 Center for Children after June 30, 2001, solely as a part of a staff
31 reduction plan.

32 (b) Notwithstanding any other statute or policy, any employee
33 at the Evansville State Psychiatric Treatment Center for Children
34 terminated or laid off after June 30, 2001, solely as a part of a staff
35 reduction plan shall have a preference for recall or reemployment
36 at the facility.

37 (c) This SECTION does not prohibit, after June 30, 2001, the
38 termination of the employment of an employee for cause in
39 accordance with IC 4-15-2. However, the division of mental health
40 and addiction shall fill a vacancy created by the termination so that
41 the staffing levels at the Evansville State Psychiatric Treatment
42 Center for Children are not reduced below the staffing levels in
43 effect on January 1, 2002."

- 1 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1001(ss) as printed June 13, 2002.

Senator LUTZ L